

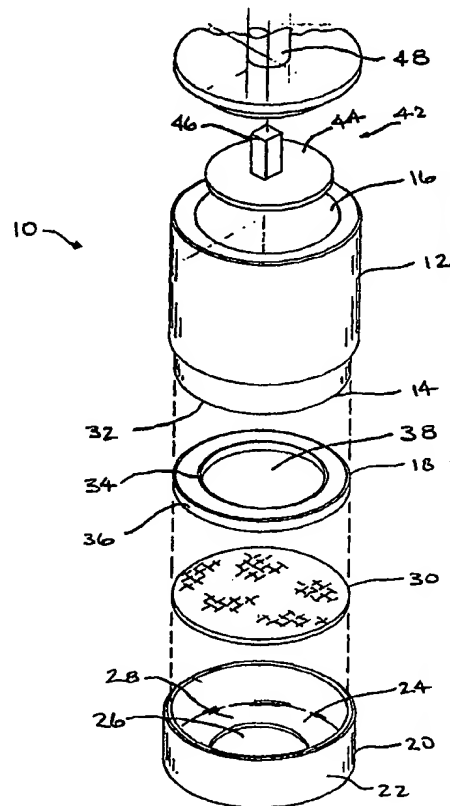


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| <b>(21) International Application Number:</b> PCT/US00/03003<br><b>(22) International Filing Date:</b> 4 February 2000 (04.02.00)<br><b>(30) Priority Data:</b><br>60/118,827 5 February 1999 (05.02.99) US<br><b>(71) Applicant (for all designated States except US):</b> DERMIK LABORATORIES, INC. [US/US]; 500 Arcola Road, P.O. Box 1200, Collegeville, PA 19426-0107 (US).<br><b>(72) Inventors; and</b><br><b>(75) Inventors/Applicants (for US only):</b> FELD, Kenneth, M. [US/US]; 21 Skyline Drive, Chalfont, PA 18914 (US). HEREN, Donna, M. [US/US]; 15 Berkley Drive, Yardley, PA 19067 (US). CILIBERTO, Cynthia, M. [US/US]; 16 Shire Lane, Port Deposit, MD 21904 (US).<br><b>(74) Agents:</b> BARRON, Alexis et al.; Synnestvedt & Lechner LLP, 2600 Aramark Tower, 1101 Market Street, Philadelphia, PA 19107-2950 (US). |           | <b>(81) Designated States:</b> AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).<br><br><b>Published</b><br><i>With international search report.</i><br><i>Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i> |

**(54) Title:** DISSOLUTION TEST SAMPLE HOLDER**(57) Abstract**

A dissolution test sample holder (10) for testing topical formulations for dermal and/or transdermal drug delivery is disclosed. The holder (10) has a cylindrical tubular body (12) with an end cap (22) removably attached to one end (14). The end cap (22) has a peripheral wall (20) which frictionally engages the body (12) to hold the end cap (22) in place. A flange (24) extends perpendicularly from the peripheral wall (20) inwardly defining an aperture (26) in the end cap (22) and providing a support surface (28) for a membrane (30) held within the end cap (22). A ring (18) is positioned within the end cap (22) on the membrane (30), the membrane (30) being sandwiched between the ring (18) and the support surface (28). The ring (18) protects the membrane (30) by preventing contact between it and the body (12), and provides a volume for holding the test sample in contact with the membrane (30).



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## DISSOLUTION TEST SAMPLE HOLDER

### Field of the Invention

This invention is a device for holding a test sample during dissolution and/or release testing and is especially suited for holding viscous topical formulations used for transdermal and dermal drug delivery.

### Background of the Invention

Topical formulations, including ointments, creams, lotions, pastes, oils and gels, are used in the dermal and transdermal (through the skin) delivery of active drugs such as, for example, hydrocortisone and nitroglycerin to sites of action in the body.

Topical application of a drug is advantageous because it allows localized delivery of the therapeutic agent directly to the desired site, thus, increasing bioavailability (the extent to which a drug reaches its site of action), reducing drug side effects and loss of

therapeutic efficiency and increasing patient compliance.

An important parameter in the development of dermal and transdermal drug delivery formulations is the rate at which the active drug is delivered. This parameter is measured in vitro (literally "in glass", meaning in the laboratory as opposed to in the living body) by drug release and/or dissolution testing. The United States Pharmacopeia specifies FDA approved standards for equipment and procedures used for dissolution testing.

It has been convention that a sample of the formulation, be it a cream, lotion, ointment, gel or other medium containing the drug or active agent, is placed on one side of a permeable membrane which simulates the barrier, presented by the skin, between the drug and the site of action. The membrane could be formed from actual skin taken from a laboratory animal, or a synthetic material such as polysulfone, acrylic polymer, glass fiber or PTFE to cite a few examples. The side of the membrane opposite the test sample is brought into contact with a liquid receptor media, and the drug or other active agent in the formulation diffuses through the membrane and dissolves into the receptor media. The concentration of the drug in the receptor media is measured periodically over time to establish the rate at which it is delivered into the media, thus, providing an indication of its delivery rate in actual use.

There are various devices currently available to hold the test sample during dissolution testing, and all of them suffer from one or more serious disadvantages. For example, some of the devices are

complicated, having many interfitting parts which can be difficult and tedious to assemble. Assembly must be done by experienced technicians using great care to avoid puncturing, tearing or wrinkling the delicate membranes held in the devices. The devices are often loaded with the test sample before they are fully assembled, thus, preventing simple visual checks from being performed after assembly to ensure that the proper quantity of sample has been loaded and that the entire membrane surface is covered by the sample. In use, the devices are typically fully immersed in the vessel holding the receptor media with the membrane located facing upward at the top of the device. In this configuration, gravity works to pull the test sample out of contact with the membrane, air pockets can form adjacent to the membrane preventing contact between sample and membrane and causing variability of test measurements. This configuration also results in a "dead volume" of the receptor media forming under the device, the media in the "dead volume" being stagnant and not participating in the dissolution of the sample and, thus, being a source of inaccuracy in the measurements.

Clearly, there is a need for an improved test sample holder for dissolution testing which is simple in construction, is easy to assemble, minimizes the potential for damage to the membrane, allows for visual observation of the test sample, avoids the creation of dead volumes of receptor media or air pockets and is useable with standard United States Pharmacopeia dissolution equipment and procedures.

### Summary and Objects of the Invention

The invention is a dissolution test sample holder immersible within a liquid for measuring the release or dissolution rate of a test sample in the liquid. The test sample is dispensed into the liquid by diffusion through a porous membrane mounted within the holder.

The holder is formed by a tubular body having opposed ends, at least one of the ends being open. An end cap is removably attached to the open end. The end cap has a peripheral side wall coaxially interengaged with the body. Frictional forces between the side wall and the body hold the end cap removably to the body. An interference fit between the end cap and the body causes the friction and results in a seal between the side wall and the body. A flange extends substantially perpendicularly inwardly of the side wall and forms a surface within the end cap for supporting the porous membrane, the flange surrounding and defining an aperture through the end cap. The membrane is positionable on the surface and covers the aperture. The test sample is positionable within the end cap on the membrane.

The end of the body to which the end cap is attached is immersible to bring the membrane into contact with the liquid, thereby allowing the test sample to diffuse through the porous membrane and dissolve in the liquid.

When particularly delicate or thin membranes are to be used, it is preferable to include a ring sized to fit coaxially within the end cap. The ring is positioned on top of the membrane, the membrane being sandwiched between the ring and the support surface. The ring has a predetermined thickness and an inner perimeter defining a volume holding the test sample in

contact with the membrane. When the holder is assembled, the body frictionally interfits within the end cap side wall and has an end surface engaging the ring and clamping the membrane between the ring and the support surface. The ring protects the delicate membrane from tearing or wrinkling by preventing direct contact between the body and the membrane.

In the preferred embodiment of the test sample holder, the tubular body and the end cap are cylindrical in shape, the aperture is circular and has a predetermined diameter, and the ring has circular inner and outer perimeters. In this embodiment, the ring inner diameter is substantially equal to the diameter of the aperture. This helps confine the test sample to the wetted area of the membrane, thus, ensuring that all of the sample is available for dissolution into the liquid. Varying the ring inner diameter as well as the ring thickness allows the volume of the test sample to be controlled as desired within the size limits of the end cap and body. In order to provide a membrane support surface of practical size, the end cap aperture diameter is smaller than an inner diameter of the body.

Due to its construction, the test sample holder according to the invention allows the test sample to be loaded after the holder has been assembled. This provides an opportunity to visually inspect the loaded holder and ensure that the correct amount of sample has been loaded, that there are no air bubbles or other voids in the sample diminishing the membrane wetted surface and that the membrane has not been damaged by the assembly or loading of the holder.

It is sometimes necessary to take steps to prevent the test sample from evaporating during the dissolution

testing. Evaporation of the test sample will cause inaccurate test results and should be avoided. Evaporation may be caused when the test is conducted at elevated temperatures or when the test duration is long due to low dissolution rates. To prevent evaporation, a sample cover is used. The sample cover is formed by a disk having a diameter sized to slidingly interfit coaxially within the body and seat on the ring. When seated, the disk covers the test sample held within the inner perimeter of the ring.

It is desired to provide agitation of the liquid in the vicinity of the membrane to promote mixing of the test sample to maintain sink conditions (i.e., always having a very low concentration of the active agent). Agitation is provided by having an opening in the body at the opposite end from the end cap, the opening being sized to accept a rotatable shaft in frictional interengagement. Preferably, the shaft is coaxial with the body and rotates it with the end cap end immersed within the liquid to promote dissolution of the test sample into the liquid.

The invention is used in a method of dissolution and/or release testing of a test sample in a liquid. Preferably, the method comprises the steps of:

- (a) providing a tubular body having opposed open ends;
- (b) providing an end cap removably attachable to one of the ends, the end cap having a peripheral side wall coaxially interengagable with the body and a flange extending substantially perpendicularly inwardly of the side wall and forming a support surface within the end cap, the flange surrounding and defining an aperture through the end cap;



(c) providing a porous membrane positionable within the end cap on the support surface and covering the aperture;

(d) positioning the membrane on the support surface covering the aperture;

(e) attaching the end cap to the one end of the body by engaging the body with the peripheral wall;

(f) loading the test sample onto the membrane through the opposite open end of the body;

(g) immersing the one end of the body into the liquid thereby wetting said membrane; and

(h) measuring the concentration of the test sample in the liquid periodically.

When necessitated by the use of a thin or delicate membrane, the method also includes the steps of:

(i) providing a ring sized to fit coaxially within the end cap contiguous with the membrane, the ring having a predetermined thickness and an inner perimeter defining a volume holding the test sample in contact with the membrane;

(j) positioning the ring on the membrane coaxially within the end cap before the body and the end cap are interengaged, the membrane being sandwiched between the support surface and the ring.

When the ring is used, the loading step comprises loading the test sample onto the membrane within the inner perimeter of the ring.

When it is desired to agitate the liquid to promote dissolution the following steps are also included:

(k) attaching the other end of the tubular body (the end opposite from the end cap) coaxially to a rotatable shaft; and

(1) rotating the body while the one end is immersed in the liquid to promote dissolution of the test sample.

It is an object of the invention to provide a dissolution test sample holder which will allow accurate measurements of the dissolution and/or release rate of a test sample to be taken.

It is another object of the invention to provide a test sample holder which will provide consistent and repeatable dissolution and/or release rates of a test sample with a minimum of test variability.

It is a further object of the invention to provide a test sample holder which is easy to assemble and load with the test sample.

It is yet another object of the invention to provide a test sample holder wherein the test sample is exposed to the entire wetted surface of the membrane.

It is still another object of the invention to provide a test sample holder wherein the test sample diffuses through the membrane by gravity.

It is again another object of the invention to provide a test sample holder wherein the volume of the test sample can be easily varied.

It is a further object of the invention to provide a test sample holder capable of using delicate membranes without damaging them.

It is again a further object of the invention to provide a test sample holder wherein the test sample can be visually inspected after the holder has been assembled and the test sample has been loaded.

It is yet another object of the invention to provide a test sample holder which can be rotated to provide agitation to promote the dissolution of the test sample.

It is again another object of the invention to provide a test sample holder which can be used with standard dissolution equipment and procedures as specified in the United States Pharmacopeia.

It is a further objective of the invention to provide a method for using a test sample holder according to the invention to accurately, reliably, and repeatably measure the dissolution and/or release rate of a test sample.

These and other objects can be discerned from a consideration of the following drawings and detailed description of the invention.

#### Brief Description of the Drawings

Figure 1 is an exploded perspective view of a test sample holder according to the invention;

Figure 2 is a cross sectional side view of the test sample holder shown in Figure 1, the holder being shown assembled and on an enlarged scale;

Figure 3 is a side view of the test sample holder shown in Figures 1 and 2 in operation, Figure 3 being on a reduced scale; and

Figure 4 is a flow chart describing a method for dissolution testing according to the invention.

#### Detailed Description of the Preferred Embodiment

Figure 1 shows an exploded isometric view of an in vitro dissolution test sample holder 10 according to the invention. Sample holder 10 comprises a tubular body 12 having opposed open ends 14 and 16, a ring 18 and an end cap 20.

End cap 20 has a peripheral side wall 22 coaxially interengagable with the body 12 at open end 14, and a flange 24 which extends substantially perpendicularly

inwardly to define an aperture 26 through the end of the end cap. Cylindrical and circular shapes for the body, ring, end cap and apertures are preferred for ease of manufacture and assembly of the holder 10.

Flange 24 forms a support surface 28 within the end cap to support a porous membrane 30 which is placed within the end cap in overlying relation covering aperture 26. The diameter of aperture 26 is smaller than the inner diameter of body 12 to provide a membrane support surface of practical size. Ring 18 interfits coaxially within end cap 20 on top of membrane 30, the membrane being sandwiched between ring 18 and support surface 28 as seen in the cross-sectional view of Figure 2. Synthetic membranes having pore sizes on the order of 0.45 microns have been found useful in dissolution testing although membranes of natural material, such as skin harvested from laboratory animals are also contemplated.

End cap 20 removably interengages tubular body 12, the end cap being retained to the tubular body, preferably by a friction or interference fit between the peripheral side wall 22 and the tubular body. It is preferred to have end cap 20 receive the body 12 as shown in Figure 2 allowing the cap to be manually gripped and easily removed from the body. The frictional interengagement between side wall 22 and body 12 forms a seal keeping liquid receptor media out of the body when the holder is immersed as described below. Frictional interengagement of the end cap and the body eliminates the need for O-rings and other types of seals, thus, simplifying the design of the holder.

The tubular body has an end surface 32 at open end 14 which engages ring 18 and compresses it against the

membrane 30. The membrane is, thus, clamped between flange 24 and ring 18 by the compressive force between the end cap and the tubular body.

Ring 18 has an inner perimeter 34 which is preferably sized and shaped to match the size and shape of aperture 26 as shown in Figure 2. The ring also has a predetermined thickness 36. As best seen in Figure 2, the thickness 36 and perimeter 34 define a sample holding volume 38 where a sample 40 of the formulation to be tested is placed.

A sample cover 42 is provided to prevent the sample from evaporating and leaving a residue during testing. Evaporation is a concern for example, during dissolution testing at elevated temperatures, or during tests of long duration. Preferably, sample cover 42 comprises a disk 44 which is sized and shaped to easily fit coaxially within tubular body 12 and seat on top of ring 18 completely covering the holding volume 38. The sample cover has a handle 46 to facilitate manual placing of the sample cover into the tubular body.

Figure 4 is a flow chart which describes a method of dissolution testing according to the invention. Briefly described, the method steps include providing the various components comprising the test sample holder, assembling the components, loading the membrane with the test sample, mounting the holder on a rotatable shaft, immersing the end cap into a receptor media, agitating the media by rotating the holder, periodically measuring the concentration of the test sample in the receptor media and determining the rate of dissolution or drug release from the concentration measurements. These steps are described in more detail below.

To assemble the sample holder 10 according to the invention, the membrane 30 is placed within end cap 20 on support surface 28 completely covering aperture 26. Ring 18 is then placed within end cap 20 on membrane 30. The end cap is interengaged with the open end 14 of tubular body 12, the peripheral side wall 22 receiving and engaging the tubular body 12 forming a seal and the tubular body end surface 32 engaging and compressing ring 18 against the membrane. Sample material 40 is then loaded into the holding volume 38 through the opposite open end 16 of body 12. The sample may be visually checked through open end 16 of body 12 to ensure that it completely covers the portion of membrane 30 beneath the holding volume 38 without any air pockets or other voids. If desired, the sample cover 42 is placed within the tubular body 12 after visual inspection. The sample cover seats against ring 18 and prevents evaporation of the sample during the test.

As seen in Figure 2, the assembled sample holder 10, loaded with test sample material 40, is mounted on the end of a shaft 48 which is rotatably mounted on an armature 50 shown in Figure 3. Preferably, open end 16 of body 12 receives the shaft, the shaft and the body interfitting in a friction or interference fit which retains the body to the shaft, yet allows it to be easily manually removed without the need for tools and separate fasteners. This affords a simple design, which is easy to use and requires few parts.

As seen in Figure 3, the sample holder 10 is mounted on the end of rotatable shaft 48 and positioned with end cap 20 immersed in a liquid receptor media 52 contained within a vessel 54. Vessel 54 is itself immersed in a liquid bath 56 used to control the

temperature of the receptor media 52. Preferably, receptor media 52 is a phosphate buffered aqueous solution having a pH which is set to simulate the conditions under which the sample will be used to dermally and/or transdermally deliver a drug or other therapeutic agent. Aperture 26 (see Figure 2) exposes the side 30a of membrane 30 opposite the sample material 40 to the receptor media 52. Care must be taken not to trap air against the membrane during immersion of the end cap, as it is preferable that the entire exposed membrane surface 30a be wetted by and in contact with the receptor media 52 to promote the dissolution and/or release of the active agent within the test sample 40 into the receptor media 52. If required, sample holder 10 can be rotated on shaft 48 by armature 50 at a predetermined rate to agitate the receptor media and further promote dissolution by maintaining sink conditions.

As the drug or other therapeutic agent diffuses through the membrane and dissolves in the receptor media 52, a portion of the receptor media is removed from vessel 54 periodically and the concentration of the drug or therapeutic agent in the media is measured. The dissolution or drug release rate is then determined from these concentration measurements. One method of determining the rate is by generating a curve depicting the functional relation of concentration versus time from these measurements, the slope of the curve providing the dissolution rate of the sample. Preferably, the volume of the receptor media 52 is sufficiently large to keep the receptor media in a sink condition, i.e., always having a very low concentration of the active agent so as not to affect the dissolution or release rate of the sample.

Preferably, the sample holder 10 is made of a chemically stable material such as Teflon® (PTFE), stainless steel or titanium so that it will not react with the sample material or the receptor media and adversely affect the dissolution testing. It is advantageous to fabricate all of the components from the same material so that all of the parts have the same coefficient of thermal expansion. This will ensure that the parts fit together in the same relationship and maintain friction fits regardless of the temperature of the sample holder. If stainless steel or titanium is used, it is desirable to coat any points of contact between parts with Teflon® to facilitate assembly of the parts by allowing them to slide easily over one another.

Arranging the sample holder with the membrane 30 at the bottom ensures that the sample material 40 will be in contact with the membrane during the testing and, thus, be available to diffuse through the membrane and dissolve in the receptor media 52. It is expected that this configuration will provide for accurate, reproducible test results with a minimum of undesired variability between tests. This is especially important for testing lotions or oils which have a relatively low viscosity as compared with creams, gels or pastes. Lotions or oils would tend to run and separate from the membrane if the sample holder were in any other orientation. Thus, not all of the sample would be available for dissolving in the receptor media, adversely affecting the test results.

Furthermore, by suspending and rotating the sample holder in vessel 54, all of the receptor media 52 will be available as a solvent, thus, eliminating stagnant "dead zones" of receptor media where effective mixing



of solvent and solute does not occur. Dead zones in receptor media 52 are undesirable because they may lead to erroneous test results. Calculations of the concentration are based upon the entire volume of receptor media, but if there is a dead zone, an unknown and unquantifiable part of that volume is not participating in the test. This will introduce error into the test results.

The use of the ring 18 to hold the membrane 30 in place provides a distinct advantage over other sample holders by allowing the sample holder according to the invention to be easily assembled without damaging the membrane. Membranes tend to be delicate and easily torn, wrinkled or punctured when inserted into the sample holder. It is especially difficult to assemble sample holders in which the membrane is clamped between two parts which move relatively to one another, such as a screw cap on the end of a cylinder. By gently placing ring 18 on top of membrane 30 before placing end cap 20 onto the end of tubular body 12, the membrane is protected from any relative movement between the cap and its mating part, the tubular body.

Another advantage secured by the invention is that the sample holder is completely assembled before any sample is introduced into it. This allows the sample material 40 to be visually inspected after it is placed in the sample holding volume 38 to ensure that the material is in contact with the entire membrane beneath the holding volume, and there are no air bubbles trapped against the membrane forming an occlusion. This is unlike other sample holders in which the sample material is placed into a part of the holder which is then joined to another part, effectively blocking all access to the sample material. Allowing visual

inspection of the sample material prior to the test will help ensure accurate and repeatable test results with variability reduced to a minimum.

The in vitro test sample holder according to the invention is expected to provide an improved device for dissolution testing of topical formulations for the dermal and/or transdermal delivery of drugs or other therapeutic agents. Its configuration and construction are specifically designed to avoid the problems and disadvantages associated with devices currently used for dissolution and/or release testing and should result in more accurate and reliable test results.

## CLAIMS

What is claimed is:

1. A dissolution test sample holder immersible within a liquid for measuring the dissolution or release rate of a test sample in said liquid, said holder comprising:

a tubular body having opposed ends, one of said ends being open;

an end cap removably attached to said one end, said end cap having a peripheral side wall coaxially interengaged with said body and a flange extending substantially perpendicularly inwardly of said side wall and forming a support surface within said end cap, said flange surrounding and defining an aperture through said end cap;

a porous membrane positioned within said end cap on said support surface and covering said aperture;

a ring sized to fit coaxially within said end cap contiguous with said membrane, said membrane being sandwiched between said support surface and said ring, said ring having a predetermined thickness and an inner perimeter defining a volume holding said test sample in contact with said membrane;

said one end of said body being immersible to bring said membrane into contact with said liquid, said test sample passing through said porous membrane upon immersion and dissolving in said liquid.

2. A dissolution test sample holder according to Claim 1, wherein said tubular body and said end cap are cylindrical in shape, said aperture is circular and has

a predetermined diameter, and said ring has circular inner and outer perimeters.

3. A dissolution test sample holder according to Claim 2, wherein said end cap is removably attached to said body by friction between said side wall and said body.

4. A dissolution test sample holder according to Claim 3, wherein said body forms a seal with said end cap side wall.

5. A dissolution test sample holder according to Claim 3, wherein said ring has an inner diameter substantially equal to said aperture diameter and said aperture diameter is smaller than an inner diameter of said body.

6. A dissolution test sample holder according to Claim 5, further comprising a sample cover formed by a disk having a diameter sized to slidingly interfit coaxially within said body and seat on said ring, said disk covering said test sample held within said inner perimeter of said ring on said membrane.

7. A dissolution test sample holder according to Claim 5, wherein said body has another open end opposite said one end, said other open end being sized to accept a rotatable shaft in frictional interengagement, said shaft being coaxial with and rotating said body with said one end immersed within said liquid to promote dissolution of said test sample into said liquid.

8. A dissolution test sample holder according to Claim 5, wherein said tubular body has an end surface positioned at said one end engaging said ring, said end surface compressing said ring and clamping said membrane between said ring and said support surface.

9. A dissolution test sample holder immersible within a liquid for measuring the dissolution or release rate of a test sample in said liquid, said test sample being dispensed into said liquid through a porous membrane mounted within said holder, said holder comprising:

a tubular body having opposed ends, at least one of said ends being open;

an end cap removably attached to said one end, said end cap having a peripheral side wall coaxially interengaged with said body and a flange extending substantially perpendicularly inwardly of said side wall and forming a surface within said end cap for supporting said membrane, said flange surrounding and defining an aperture through said end cap, said membrane being positionable on said surface covering said aperture, said test sample being positionable within said end cap on said membrane;

said one end of said body being immersible to bring said membrane into contact with said liquid, said test sample passing through said porous membrane upon immersion and dissolving in said liquid.

10. A dissolution test sample holder according to Claim 9, further comprising a ring sized to fit coaxially within said end cap on top of said membrane, said ring having a predetermined thickness and an inner

perimeter defining a volume holding said test sample in contact with said membrane.

11. A dissolution test sample holder according to Claim 10, wherein said tubular body and said end cap are cylindrical in shape, said aperture is circular and has a predetermined diameter, and said ring has circular inner and outer perimeters.

12. A dissolution test sample holder according to Claim 11, wherein said one end of said body frictionally interfits within said end cap side wall and is contiguous with said ring, said ring preventing contact between said body and said membrane.

13. A dissolution test sample holder according to Claim 12, wherein said ring has an inner diameter substantially equal to said aperture diameter and said aperture diameter is smaller than an inner diameter of said body.

14. A dissolution test sample holder according to Claim 13, wherein the other of said ends is open and is sized to accept a rotatable shaft in frictional interengagement, said shaft being coaxial with and rotating said body with said one end immersed within said liquid to promote dissolution of said test sample into said liquid.

15. A method of dissolution testing a test sample in a liquid, said method comprising the steps of:  
providing a tubular body having opposed ends, at least one of said ends being open;

providing an end cap removably attachable to said one end, said end cap having a peripheral side wall coaxially interengagable with said body and a flange extending substantially perpendicularly inwardly of said side wall and forming a support surface within said end cap, said flange surrounding and defining an aperture through said end cap;

providing a porous membrane positionable within said end cap on said support surface and covering said aperture;

positioning said membrane on said support surface covering said aperture;

loading said test sample onto said membrane; attaching said end cap to said one end of said body;

immersing said one end of said body into said liquid thereby wetting said membrane; and

measuring the concentration of said test sample in said liquid periodically.

16. A method of dissolution testing according to Claim 15, further including the steps of:

providing a ring sized to fit coaxially within said end cap contiguous with said membrane, said ring having a predetermined thickness and inner perimeter defining a volume holding said test sample in contact with said membrane;

positioning said ring on said membrane coaxially within said end cap, said membrane being sandwiched between said support surface and said ring; and

wherein said loading step comprises loading said test sample onto said membrane within said inner perimeter of said ring.

17. A method of dissolution testing according to Claim 16, wherein the other end of said tubular body is open, said steps positioning said ring and attaching said end cap occur before said loading step, and said loading step comprises loading said test sample onto said membrane through said other open end.

18. A method of dissolution testing according to Claim 17, further including the steps of attaching said other end of said tubular body coaxially to a rotatable shaft, and rotating said body while said one end is immersed in said liquid to promote dissolution of said test sample.



1/3

FIG. 1

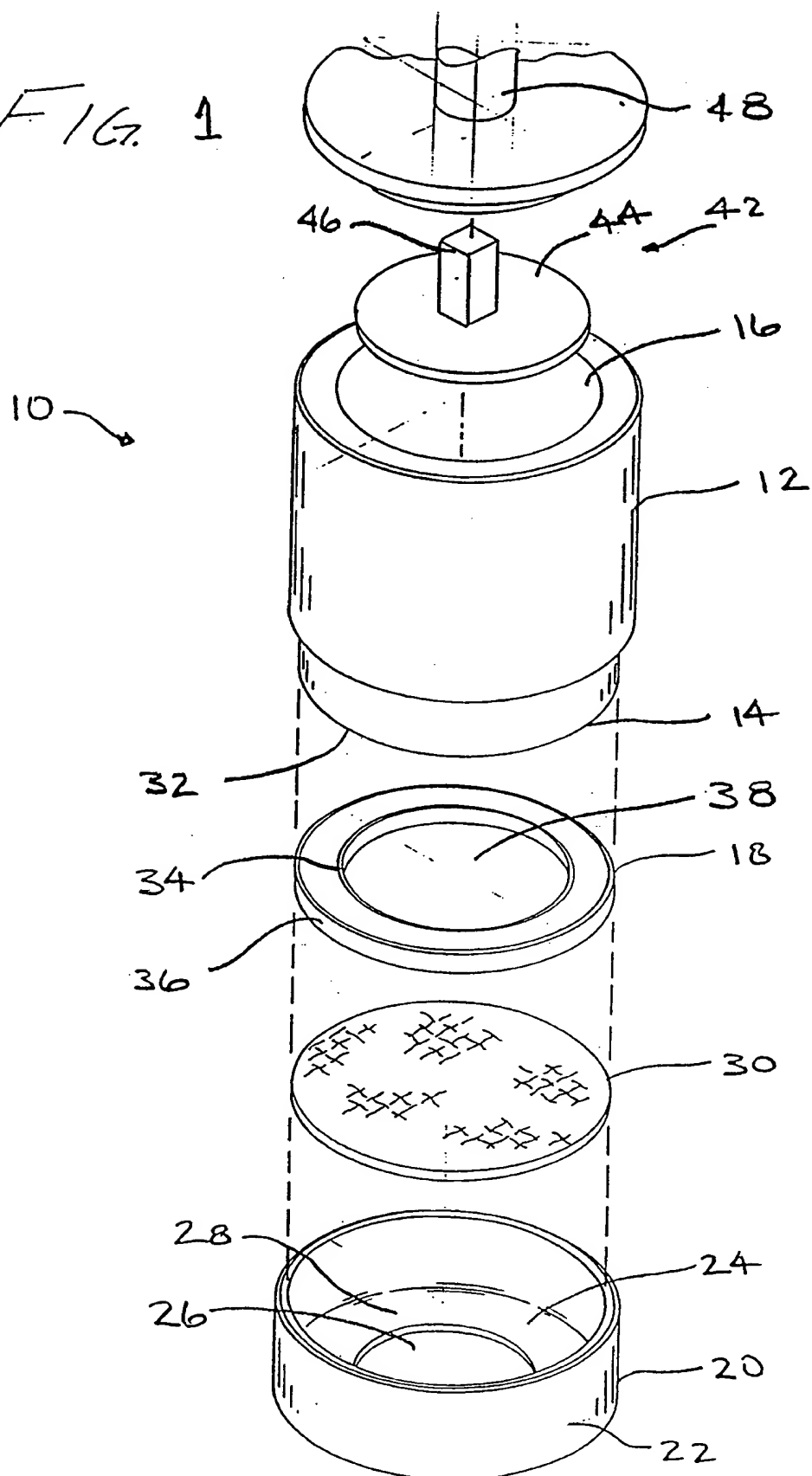


FIG 3

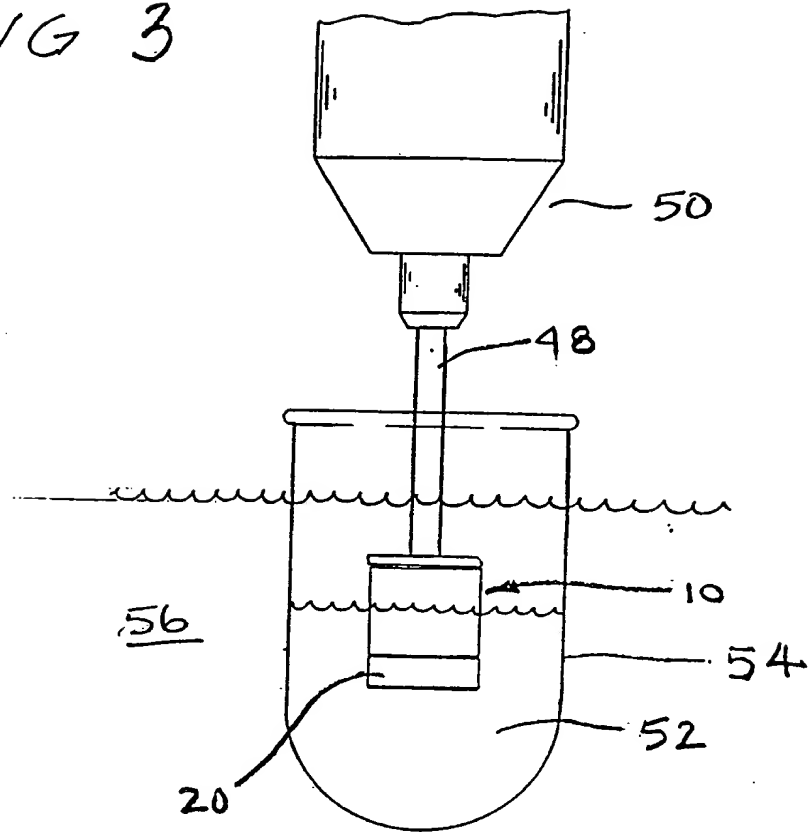
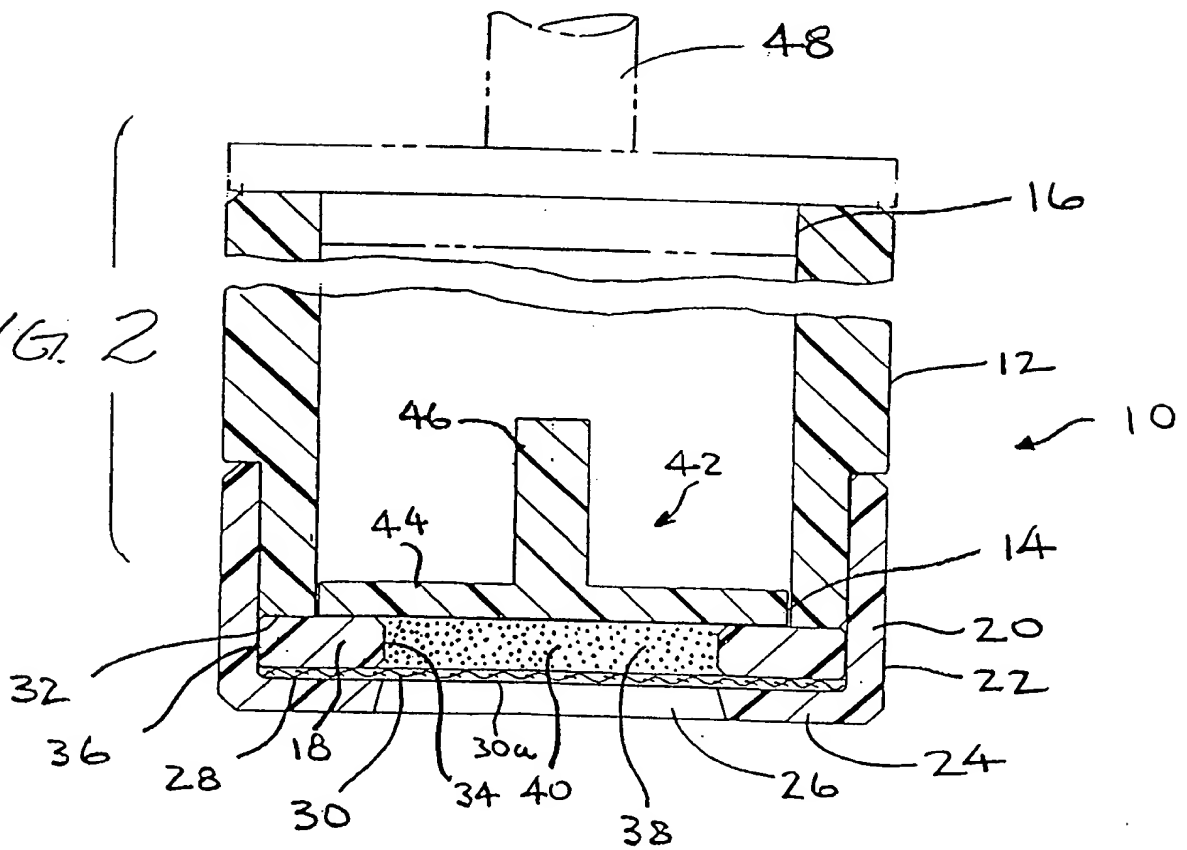


FIG. 2



3/3

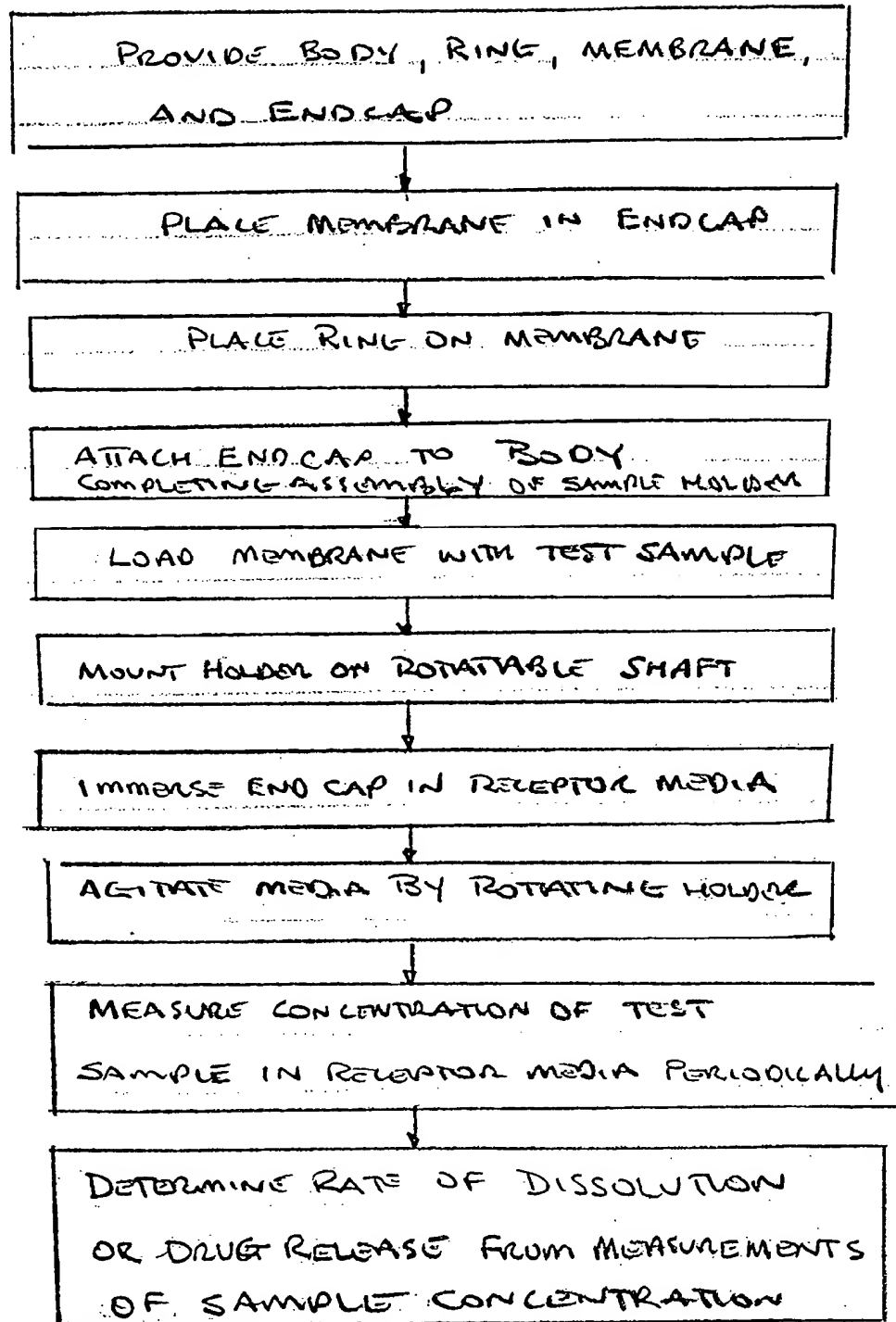


FIG. 4

CORRECTED VERSION

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
10 August 2000 (10.08.2000)

PCT

(10) International Publication Number  
**WO 00/46597 A1**

(51) International Patent Classification<sup>7</sup>: **G01N 33/00**,  
1/18, 11/00, B01L 11/00, B01D 11/02

(21) International Application Number: **PCT/US00/03003**

(22) International Filing Date: 4 February 2000 (04.02.2000)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
60/118,827 5 February 1999 (05.02.1999) US

(71) Applicant (for all designated States except US): **DERMIK  
LABORATORIES, INC.** [US/US]; 500 Arcola Road, P.O.  
Box 1200, Collegeville, PA 19426-0107 (US).

(72) Inventors; and

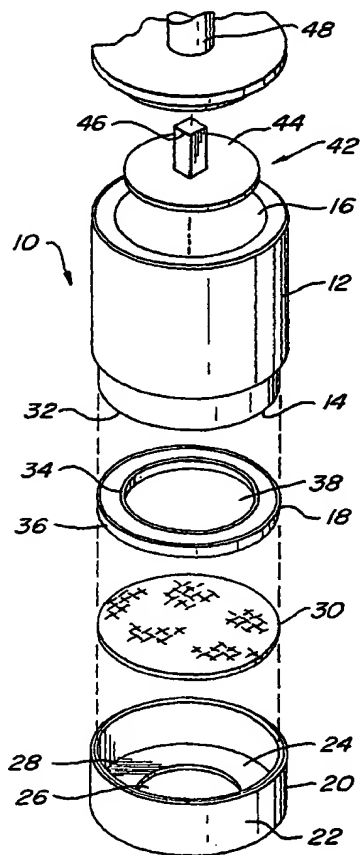
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**HEREN, Donna, M.** [US/US]; 15 Berkley Drive, Yardley,  
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(74) Agents: **BARRON, Alexis et al.**; Synnestvedt & Lechner  
LLP, 2600 Aramark Tower, 1101 Market Street, Philadel-  
phia, PA 19107-2950 (US).

(81) Designated States (national): AE, AL, AM, AT, AU, AZ,  
BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK,  
DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL,  
IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU,  
LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT,

[Continued on next page]

(54) Title: DISSOLUTION TEST SAMPLE HOLDER



(57) Abstract: A dissolution test sample holder (10) for testing topical formulations for dermal and/or transdermal drug delivery is disclosed. The holder (10) has a cylindrical tubular body (12) with an end cap (22) removably attached to one end (14). The end cap (22) has a peripheral wall (20) which frictionally engages the body (12) to hold the end cap (22) in place. A flange (24) extends perpendicularly from the peripheral wall (20) inwardly defining an aperture (26) in the end cap (22) and providing a support surface (28) for a membrane (30) held within the end cap (22). A ring (18) is positioned within the end cap (22) on the membrane (30), the membrane (30) being sandwiched between the ring (18) and the support surface (28). The ring (18) protects the membrane (30) by preventing contact between it and the body (12), and provides a volume for holding the test sample in contact with the membrane (30).

WO 00/46597 A1



RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA,  
UG, US, UZ, VN, YU, ZA, ZW.

(48) Date of publication of this corrected version:

26 July 2001

(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

(15) Information about Correction:

see PCT Gazette No. 30/2001 of 26 July 2001, Section II

**Published:**

— with international search report

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

09/890484

## PATENT COOPERATION TREATY

## PCT

REC'D 23 OCT 2000  
WIPO PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

|  |   |  |
|--|---|--|
| Applicant's or agent's file reference<br>P22,788-A PC  | <b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |  |
| International application No.<br>PCT/US00/03003  | International filing date (day/month/year)<br>04 FEBRUARY 2000  | Priority date (day/month/year)<br>05 FEBRUARY 1999 |
| International Patent Classification (IPC) or national classification and IPC<br>Please See Supplemental Sheet. |   |  |
| Applicant<br>DERMIK LABORATORIES, INC.   |   |  |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

|  |   |
|--|---|
| Date of submission of the demand<br><br>12 JUNE 2000   | Date of completion of this report<br><br>13 SEPTEMBER 2000  |
| Name and mailing address of the IPEA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231 | Authorized officer<br><br>DWAYNE K. HANDY<br>DEBORAH THOMAS<br>PARALEGAL SPECIALIST: <i>[Signature]</i> |
| Facsimile No. (703) 305-3230   | Telephone No. (703) 308-0661  |

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/03003

**I. Basis of the report****1. With regard to the elements of the international application:\***☒ the international application as originally filed☒ the description:

pages 1-16 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☒ the claims:

pages 17-22 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☒ the drawings:

pages 1-3 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☒ the sequence listing part of the description:

pages NONE \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in printed form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☒ The amendments have resulted in the cancellation of:**

- ☒ the description, pages NONE  
☒ the claims, Nos. NONE  
☒ the drawings, sheets/fig. NONE

**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/03003

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. statement**

|                               |                    |     |
|-------------------------------|--------------------|-----|
| Novelty (N)                   | Claims <u>1-18</u> | YES |
|                               | Claims <u>NONE</u> | NO  |
| Inventive Step (IS)           | Claims <u>1-18</u> | YES |
|                               | Claims <u>NONE</u> | NO  |
| Industrial Applicability (IA) | Claims <u>1-18</u> | YES |
|                               | Claims <u>NONE</u> | NO  |

**2. citations and explanations (Rule 70.7)**

Claims 1-18 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a dissolution test sample holder which contains the combination of elements as claimed in claims 1-14. The sample holder includes a main tubular body, a removable end cap which fits onto a tubular body via a friction fit, a flange contained on the end cap for holding a membrane and a ring for holding the membrane in place on the flange. The prior art also does not suggest a method of dissolution testing that includes the elements/steps as recited by applicant in claims 15-18.

Claims 1-18 have industrial applicability as defined by PCT Article 33(4). The device and method would be useful in the field of drug synthesis and formulation.

----- NEW CITATIONS -----

NONE



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/US00/03003

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**CLASSIFICATION:**

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): G01N 33/00, 1/18, 11/00; B01L 11/00; B01D 11/02 and US Cl.: 422/68.1, 101, 104, 264; 436/178; 73/53.01

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: ALEXIS BARRON  
SYNNESTVEDT & LECHNER LLP  
2600 ARAMARK TOWER  
1101 MARKET STREET  
PHILADELPHIA, PA 19107-2950

**PCT**

NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing  
(day/month/year)

**18 OCT 2000**

Applicant's or agent's file reference

P22,788-A PC

**IMPORTANT NOTIFICATION**

International application No.

PCT/US00/03003

International filing date (day/month/year)

04 FEBRUARY 2000

Priority Date (day/month/year)

05 FEBRUARY 1999

Applicant

DERMIK LABORATORIES, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

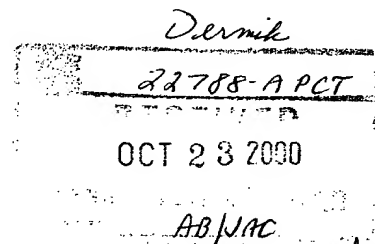
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

**4. REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.



Name and mailing address of the IPEA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

JILL WARDEN

DEBORAH THOMAS

Telephone No. (703) 308-0681  
PARALEGAL SPECIALIST

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

|  |   |  |
|--|---|--|
| Applicant's or agent's file reference<br>P22,788-A PC  | <b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |  |
| International application No.<br>PCT/US00/03003  | International filing date (day/month/year)<br>04 FEBRUARY 2000  | Priority date (day/month/year)<br>05 FEBRUARY 1999 |
| International Patent Classification (IPC) or national classification and IPC<br>Please See Supplemental Sheet. |   |  |
| Applicant<br>DERMIK LABORATORIES, INC.   |   |  |

|   |  |
|---|--|
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>   |  |
| <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p> |  |

|  |   |
|--|---|
| Date of submission of the demand<br>12 JUNE 2000   | Date of completion of this report<br>13 SEPTEMBER 2000                          |
| Name and mailing address of the IPEA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231 | Authorized officer<br>DEBORAH THOMAS<br>DWAYNE K. HANDY<br>PARALEGAL SPECIALIST |
| Facsimile No. (703) 305-3230   | Telephone No. (703) 308-0661  |

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☒ the description:  
pages 1-16 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages 17-22 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages 1-3 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the description:  
pages NONE \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

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- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☒ The amendments have resulted in the cancellation of:**

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. statement**

|                               |        |             |     |
|-------------------------------|--------|-------------|-----|
| Novelty (N)                   | Claims | <u>1-18</u> | YES |
|                               | Claims | <u>NONE</u> | NO  |
| Inventive Step (IS)           | Claims | <u>1-18</u> | YES |
|                               | Claims | <u>NONE</u> | NO  |
| Industrial Applicability (IA) | Claims | <u>1-18</u> | YES |
|                               | Claims | <u>NONE</u> | NO  |

**2. citations and explanations (Rule 70.7)**

Claims 1-18 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a dissolution test sample holder which contains the combination of elements as claimed in claims 1-14. The sample holder includes a main tubular body, a removable end cap which fits onto a tubular body via a friction fit, a flange contained on the end cap for holding a membrane and a ring for holding the membrane in place on the flange. The prior art also does not suggest a method of dissolution testing that includes the elements/steps as recited by applicant in claims 15-18.

Claims 1-18 have industrial applicability as defined by PCT Article 33(4). The device and method would be useful in the field of drug synthesis and formulation.

----- NEW CITATIONS -----

NONE

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**CLASSIFICATION:**

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): G01N 33/00, 1/18, 11/00; B01L 11/00; B01D 11/02 and US Cl.: 422/68.1, 101, 104, 264; 436/178; 73/53.01

# PATENT COOPERATION TREATY

Express Mail #EL729267066US  
From the INTERNATIONAL SEARCHING AUTHORITY

To: BARRON, ALEXIS  
SYNNESTVEDT & LECHNER LLP  
2600 ARAMARK TOWER  
1101 MARKET STREET  
PHILADELPHIA, PA 19107-2950

09/890184

*Dermik*

|                       |             |
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| OR<br>FILE            | 22788-A PCT |
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| JUN - 2 2000          |             |
| SYNNESTVEDT & LECHNER |             |
| ATTEN: <i>AB/lac</i>  |             |

PCT

## NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

|   |  |
|---|--|
| Applicant's or agent's file reference<br>P22,788-A PC | Date of Mailing<br>(day/month/year) <b>30 MAY 2000</b>         |
| International application No.<br>PCT/US00/03003       | International filing date<br>(day/month/year) 04 FEBRUARY 2000 |
| Applicant<br>DERMIK LABORATORIES, INC.                |  |

**ENTERED COMPUTER**  
*7-30-00*

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**  
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.  
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

|   |  |
|---|--|
| Name and mailing address of the ISA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231<br>Facsimile No. (703) 305-3230 | Authorized officer<br>DWAYNE K. HANDY<br>DEBORAH THOMAS <i>pat</i><br>PARALEGAL SPECIALIST<br>Telephone No. (703) 308-0661 |
|---|--|

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|   |   |   |
|---|---|---|
| Applicant's or agent's file reference<br>P22,788-A PC | <b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below. |   |
| International application No.<br>PCT/US00/03003       | International filing date (day/month/year)<br>04 FEBRUARY 2000  | (Earliest) Priority Date (day/month/year)<br>05 FEBRUARY 1999 |
| Applicant<br>DERMIK LABORATORIES, INC.                |   |   |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

### 1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.



## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US00/03003

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC(7) : G01N 33/00, 1/18, 11/00; B01L 11/00; B01D 11/02

US CL : 422/68.1, 101, 104, 264; 436/178; 73/53.01

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 422/68.1, 99, 101, 104, 264; 436/178, 179; 73/53.01, 64.55, 432.1

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EAST

search terms: dissolution, test, assay, sample

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|-----------------------|
| Y         | US 4,578,244A (COSGROVE, JR et al) 25 March 1986, Figure 7, column 14.             | 1, 9, 15              |
| Y         | US 5,108,710 A (LITTLE et al), 28 April 1992, Figure 2A, column 10.                | 1, 9                  |
| Y         | US 5,412,979 A (FASSIHI) 09 May 1995, Figure 1, column 2.                          | 1, 9, 15              |
| A         | US 4,464,340 A (LENNOX, JR et al) 07 August 1984, entire document.                 |                       |
| A         | US 3,801,280 A (SHAH et al) 02 April 1974, entire document.                        |                       |
| A         | US 3,802,272 A (BISCHOFF et al) 09 April 1974, entire document.                    |                       |



Further documents are listed in the continuation of Box C.



See patent family annex.

|   |  |
|---|--|
| * Special categories of cited documents:  | *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  |
| *A* document defining the general state of the art which is not considered to be of particular relevance  | *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone   |
| *E* earlier document published on or after the international filing date  | *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | *A* document member of the same patent family  |
| *O* document referring to an oral disclosure, use, exhibition or other means  |  |
| *P* document published prior to the international filing date but later than the priority date claimed  |  |

Date of the actual completion of the international search

10 MAY 2000

Date of mailing of the international search report

30 MAY 2000

Name and mailing address of the ISA/US  
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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/03003

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|-----------------------|
| A         | US 4,856,909 A (MEHTA et al) 15 August 1989, entire document.                      |                       |
| A         | US 5,011,662 A (NOORMOHAMMADI et al) 30 April 1991, entire document.               |                       |
| A         | US 5,589,649 A (BRINKER et al) 31 December 1996, entire document.                  |                       |
| A         | US 5,816,701 A (MARTIN et al) 06 October 1998, entire document.                    |                       |
| A         | US 5,407,567 A (NEWHARD) 18 April 1995, entire document.                           |                       |
| A         | US 5,476,116 A (PRICE et al) 19 December 1995, entire document.                    |                       |

**Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)**

A dissolution test sample holder (10) for testing topical formulations for dermal and/or transdermal drug delivery is disclosed. The holder (10) has a cylindrical tubular body (12) with an end cap (22) removably attached to one end (14). The end cap (22) has a peripheral wall (20) which frictionally engages the body (12) to hold the end cap (22) in place. A flange (24) extends perpendicularly from the peripheral wall (20) inwardly defining an aperture (26) in the end cap (22) and providing a support surface (28) for a membrane (30) held within the end cap (22). A ring (18) is positioned within the end cap (22) on the membrane (30), the membrane (30) being sandwiched between the ring (18) and the support surface (28). The ring (18) protects the membrane (30) by preventing contact between it and the body (12), and provides a volume for holding the test sample in contact with the membrane (30).